

Attached are the amended claims in marked up form, the attachment is titled "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

I. Objection to the Drawings

The Examiner objects to the disclosure and drawings because the cannula 30, sheath 16, needle 18, and blunting member 65 are not clearly distinguished one from the other in the drawings and disclosure. In regard to the distinction between the cannula 30 and sheath 16, it is clear from Figure 1 that a sheath 16 refers only to that section of the cannula 30 which extends out of the hub section 37 of the introducer 15. One of ordinary skill in the art would understand that the cannula 30 may extend into the hub 37 to define a passage for the needle 18 to be disposed through the hub section of the introducer 15. Figure 4 has been amended to remove a reference number 30 to clarify that the inner set of dark lines depicts the blunting member 65 disposed within the needle 18. Accordingly, it is requested that the objection to the drawings and specification be withdrawn.

II. Claims Rejected Under 35 U.S.C. § 103(a)

Claims 14-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over European patent No. 0630661 issued to Gomez, et al. (hereafter "Gomez") in view of U.S. Patent No. 5,009,642 issued to Sahi (hereinafter "Sahi") and European Patent No. 0353905 issued to Chang (hereinafter "Chang").

Claim 14, as amended, includes the elements of a movable member coupled to the blunting member to engage an outer surface of the introducer sheath and to advanced the blunting member to distally advanced position when the sheath is removed. The Examiner has failed to indicate and Applicant has been unable to discern any part of Gomez or Sahi that teach this element of claim 14 as amended. Gomez does not include a blunting member as admitted by the Examiner or moveable member coupled to the blunting member and the outer surface of the introducer sheath as claimed

in amended claim 14. Sahi does not cure this defect of Gomez. Rather, Sahi teaches a blunting apparatus that uses a force fit between with the interior of a hub chamber of a catheter and a set of split ring segments 38a and 38b. See Sahi, col. 8, lines 55-69. Thus, Sahi does not teach a moveable member to engage the outer surface of an introducer sheath. Therefore, Gomez combined with Sahi does not teach each of the elements of amended claim 14. Accordingly, reconsideration and withdrawal of the obviousness rejection of claim 14 are requested.

In regard to claims 15-18, these claims depend from independent claim 14 and incorporate the limitations thereof. Thus, at least for the reasons mentioned in regard to claim 14, these claims are not obvious over Gomez in view of Sahi and Chang. Accordingly, reconsideration and withdrawal of the obviousness rejection of the claims are requested.

III. New Claim

Claim 19 depends from independent claim 14 and incorporates the limitations therein. Thus, at least for the reasons mentioned in regard to claim 14, this claim is not taught or suggested by the cited references. Accordingly, Applicant believes claim 19 is in condition for allowance.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 14-19 patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

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Dated: 1/28/03

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CERTIFICATE OF FACSIMILE TRANSMISSION:

I hereby certify that this correspondence is being facsimile transmitted to: Box AF, Assistant Commissioner for Patents, Washington, D.C. 20231, on January 28, 2003.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE
IN THE CLAIMS

Please amend the claims as follows:

14. (Twice Amended) A catheter unit comprising:

a housing removeably coupled to a tubular introducer sheath, the tubular introducer sheath having a proximal end, a distal end, and a hollow lumen extending longitudinally therethrough;

a needle having a sharpened distal tip and a hollow bore extending longitudinally therethrough, the needle being disposed coaxially within the lumen of the introducer sheath;

an elongated blunting member having a hollow lumen extending longitudinally therethrough and having an open proximal end adjacent to a flash chamber and a blunt distal tip, the elongated blunting member being disposed coaxially within the bore of the needle;

the blunting member being axially moveable from a non-blunting position wherein the blunt distal tip of the blunting member is positioned within the bore of the needle a spaced distance proximal to the sharpened distal tip of the needle, to a distally advanced blunting position wherein the blunt distal tip of the blunting member protrudes out of and beyond the sharpened distal tip of the needle; [and]

a moveable member coupled to the blunting member to engage an outer surface of the introducer sheath and to advance the blunting member to the distally advanced blunting position when the introducer sheath is removed; and

a porous member which is coupled to the housing[, and having a porosity that ranges from about 35% to about 55%].